

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

TRACY SOUSLEY,
Plaintiff

v.

INSIGNIA HOSPITALITY GROUP,
INC. d/b/a HOLIDAY INN,
Defendant

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MO:24-CV-00117-DC

ORDER

Before the Court is the report and recommendation from United States Magistrate Judge Ronald C. Griffin¹ concerning Insignia Hospitality Group, Inc. doing business as Holiday Inn's motion to dismiss and, in the alternative, motion for a more definite statement.² Pursuant to 28 U.S.C. § 636(b) and Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Griffin issued his report and recommendation on July 7, 2025.³ As of the date of this order, no party has filed objections to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge's proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de

¹ ECF No. 15.

² ECF No. 12.

³ ECF No. 15.

novo review by the district court. When no objections are timely filed, a district court can review the magistrate's report and recommendation for clear error.⁴

Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge is **ADOPTED**.⁵ Insignia's Motion to Dismiss is **DENIED WITHOUT PREJUDICE**.⁶ Further, Insignia's motion in the alternative for a more definite statement is **GRANTED**⁷ and Tracy Sousley is **ORDERED** to **RESTATE HER CASE AND REPLEAD HER BREACH OF CONTRACT CLAIM WITH MORE SPECIFICITY**. Sousley's amended complaint shall provide adequate facts to allow Insignia to frame a responsive pleading to her breach of contract claim, including what actions Insignia took and when they were taken.

⁴ See Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

⁵ ECF No. 15.

⁶ ECF No. 12.

⁷ *Id.*

It is further **ORDERED** that Sousley file her Second Amended Complaint no later than thirty (30) days from the date it is adopted.

It is so **ORDERED**.

SIGNED this 22nd day of July, 2025.

A handwritten signature in black ink, appearing to read "David Counts", written over a horizontal line.

DAVID COUNTS
UNITED STATES DISTRICT JUDGE